

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

Capital Records Inc., et al.,
Plaintiff(s),

V.

CIVIL ACTION

NO. 04-40168-FDS

Fitzpatrick,
Defendant(s),

SETTLEMENT ORDER OF DISMISSAL

Saylor, D. J.

The Court having been advised on July 29, 2005
that the above-entitled action has been settled;

IT IS ORDERED that this action is hereby dismissed without costs and
without prejudice to the right of any party, upon good cause shown, to reopen the
action within sixty (60) days if settlement is not consummated.

By the Court,

August 1, 2005
Date

/s/ Martin Castles
Deputy Clerk